



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

वीरवार, 06 सितम्बर, 2018 / 15 भाद्रपद, 1940

हिमाचल प्रदेश सरकार

हिमाचल प्रदेश विधान सभा सचिवालय

अधिसूचना

शिमला-4, 29 अगस्त, 2018

संख्या: वि०स०-विधायन-विधेयक/१-५२/२०१८.—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के अन्तर्गत हिमाचल प्रदेश भूमि अन्तरण (विनियमन) संशोधन

विधेयक, 2018 जो आज दिनांक 29 अगस्त, 2018 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्वसाधारण की सूचनार्थ राजपत्र में अधिसूचित करने हेतु प्रेषित किया जाता है।

हस्ताक्षरित /—
(यशपाल),
सचिव,
हिं0 प्र0 विधान सभा।

2018 का विधेयक संख्यांक 9

हिमाचल प्रदेश भूमि अन्तरण (विनियमन) संशोधन विधेयक, 2018

(विधान सभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश भूमि अन्तरण (विनियमन) अधिनियम, 1968 (1969 का अधिनियम संख्यांक 15) का और संशोधन करने के लिए विधेयक।

भारत गणराज्य के उनहत्तरवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. संक्षिप्त नाम.—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश भूमि अन्तरण (विनियमन) संशोधन अधिनियम, 2018 है।

2. धारा 3 का संशोधन.—हिमाचल प्रदेश भूमि अन्तरण (विनियमन) अधिनियम, 1968 की धारा 3 की उपधारा (1) में,—

- (क) द्वितीय परन्तुक के खण्ड (ख) में, "ऋण प्राप्त करने के लिए, किसी" शब्दों और चिन्ह के पश्चात् "अधिसूचित वाणिज्यिक बैंक या किसी सहकारी बैंक जिसका मुख्यालय राज्य में हो या किसी" शब्द और चिन्ह अन्तःस्थापित किए जाएंगे; और
- (ख) तृतीय परन्तुक में, "भूमि अर्जन अधिनियम, 1894" शब्दों, चिन्ह और अंकों के स्थान पर "भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013" शब्द, चिन्ह और अंक रखे जाएंगे।

उद्देश्यों और कारणों का कथन

हिमाचल प्रदेश राज्य में, हिमाचल प्रदेश भूमि अन्तरण (विनियमन) अधिनियम, 1968 अनुसूचित जनजाति से सम्बन्धित व्यक्तियों के हित में भूमि के अन्तरण को विनियमित करता है। इसके अतिरिक्त, अधिनियम की धारा 3 की उपधारा (1) का द्वितीय परन्तुक ऐसे व्यक्तियों द्वारा सहकारी भूमि बन्धक बैंक या किसी सहकारी सोसाइटी, जिसके समस्त सदस्य अनुसूचित जनजाति से सम्बन्धित हैं, से ऋण प्राप्त करने के लिए भूमि का बन्धक रखा जाना अनुज्ञात करता है, किन्तु ऐसे समुदाय से सम्बन्धित व्यक्ति किसी अधिसूचित वाणिज्यिक बैंक या राज्य के सहकारी बैंक से ऋण प्राप्त करने के लिए अपनी भूमि को बन्धक नहीं रख सकते हैं। यदि ऐसा व्यक्ति किसी अधिसूचित वाणिज्यिक बैंक से या राज्य के सहकारी बैंक से ऋण प्राप्त करना चाहता है तो ऐसे व्यक्ति को अधिनियम की धारा 3 की उपधारा (1) की अपेक्षा को पूर्ण करना पड़ता

है। धारा 3 की उपधारा (1) के अधीन राज्य सरकार का अनुमोदन अभिप्राप्त करने के लिए अनुसूचित जनजातियों से सम्बन्धित व्यक्ति को पूर्वोक्त अधिनियम और तद्धीन बनाए गए नियमों के अधीन अधिकथित प्रक्रिया का अनुसरण करना पड़ता है जो अधिक समय लेने वाली प्रक्रिया है और जिससे अत्यधिक असुविधा होती है। यहां तक कि अनुसूचित बैंकों को भी इस उपबन्ध के कारण राज्य में ऐसे समुदाय के सदस्यों को ऋण सुविधाएं प्रदान करने में अत्यन्त कठिनाई का सामना करना पड़ रहा है। इसलिए, इस कठिनाई को दूर करने के आशय से, पूर्वोक्त अधिनियम में उपर्युक्त संशोधन करने का विनिश्चय किया गया है ताकि अनुसूचित जनजाति समुदाय के सदस्य, किसी सहकारी भूमि बन्धक बैंक या किसी सहकारी सोसाइटी के अतिरिक्त अधिसूचित वाणिज्यिक बैंकों और राज्य में सहकारी बैंकों से, बन्धकस्वरूप ऋण प्राप्त करने में समर्थ हो सकें। इस प्रभाव का 2016 का संशोधन विधेयक संख्यांक 22, विधान सभा में पुरास्थापित किया गया था और जिसे उस द्वारा तारीख 23-12-2016 को पारित किया गया था। यह विधेयक राज्यपाल द्वारा राष्ट्रपति की सहमति के लिए आरक्षित रखा गया था। तथापि, भारत सरकार ने वर्ष 2016 में पारित विधेयक में कुछ संशोधनों का सुझाव दिया है। अतः उक्त विधेयक को वापस लिया गया था और भारत सरकार द्वारा दिए गए सुझाव प्रस्तावित विधान में समाविष्ट किए गए हैं। इसलिए पूर्वोक्त अधिनियम की धारा 3 में संशोधन करना आवश्यक हो गया है।

यह विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।

(डॉ राम लाल मारकण्डा)
प्रभारी मन्त्री।

शिमला :

तारीख : , 2018

AUTHORITATIVE ENGLISH TEXT

BILL No. 9 OF 2018

THE HIMACHAL PRADESH TRANSFER OF LAND (REGULATION) AMENDMENT BILL, 2018

(As INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

further to amend the Himachal Pradesh Transfer of Land (Regulation) Act, 1968 (Act No. 15 of 1969).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixty-ninth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Himachal Pradesh Transfer of Land (Regulation) Amendment Act, 2018.

2. Amendment of section 3.—In section 3 of the Himachal Pradesh Transfer of Land (Regulation) Act, 1968, in sub-section (1),—

- (a) in second proviso, in clause (b), after the words and sign “for securing loan, to any”, the words and signs “Scheduled Commercial Bank or to any Co-operative Bank, having its headquarter within the State or to any,” shall be inserted; and

(b) in third proviso, for the words, sign and figures “Land Acquisition Act, 1894”, the words, signs and figures “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013,” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Himachal Pradesh Transfer of Land (Regulation) Act, 1968 regulates the transfer of land in the State of Himachal Pradesh, in the interest of persons belonging to Scheduled Tribe. Further second proviso to sub-section (1) of section 3 of the Act allows mortgage of land by such persons for securing loan from Co-operative Land Mortgage Bank or any Co-operative Societies, all members of which are Scheduled Tribes but persons belonging to such community cannot mortgage their land for securing loan from any Scheduled Commercial Bank or Co-operative Bank of the State. In case, such person intends to secure loan from any Scheduled Commercial Bank or Co-operative Bank of the State, such person will have to meet the requirement of sub-section (1) of section 3 of the Act. For obtaining approval of the State Government under sub-section (1) of section 3, a person belonging to Scheduled Tribes has to follow the procedure laid down under the Act *ibid.* and the rules made thereunder which is a time consuming process and causes great inconvenience. Even Scheduled Banks are also facing great hurdle in extending credit facilities to the members of such community in the State due to this provision. Thus, in order to overcome this difficulty, it has been decided to make suitable amendments in the Act *ibid.* So that the members of the Scheduled Tribe community may be able to secure loan from the Scheduled Commercial Banks and Co-operative Banks in the State, in addition to any Co-operative Land Mortgage Bank or any Co-operative Society, by way of mortgage. An amendment Bill No. 22 of 2016 to this effect was introduced and passed by the Legislative Assembly on 23-12-2016. This Bill was reserved for Presidential assent by the Governor. However, the Government of India has suggested some amendments in the Bill passed in the year, 2016. Hence, the said Bill was withdrawn and the suggestions given by the Government of India have been incorporated in the proposed legislation. This has necessitated amendments in section 3 of the Act *ibid.*

This Bill seeks to achieve the aforesaid objectives.

(DR. RAM LAL MARKANDA)
Minister-in-Charge.

SHIMLA :
The , 2018

MEDICAL EDUCATION DEPARTMENT

NOTIFICATION

Shimla-171009, the 31st August, 2018

No. HFW-B(A)2-8/2018.—In exercise of the powers conferred by section-23 of the Himachal Pradesh Nurses Registration Act, 1977, the Governor of Himachal Pradesh is pleased to publish the following Bye-Laws in the e-gazette of the Himachal Pradesh Government:—

B.L 1. Short Title.—These Bye-Laws shall be called the Himachal Pradesh Nurses Registration Council Bye-Laws 2018.

B.L Training Courses:—

2.1 Name of Course:— **[M.Sc in Nursing (M.Sc (N))]**

2.1.1 Duration:— 2 Years.

2.1.2 Age:— No age limit.

2.1.3 Qualification:— Minimum educational requirement shall be the passing of:—

B.Sc Nursing/B.Sc. Hons. Nursing/Post Basic B.Sc. Nursing with minimum of 50% aggregate marks.

2.1.4 Admission Criteria:— The candidate should be a Registered Nurse and Registered midwife or equivalent with any State Nursing Registration Council.

The candidate should have undergone in B.Sc Nursing/ B.Sc Hons. Nursing/Post Basic B.Sc Nursing in an institution which is recognized by Indian Nursing Council.

Minimum one year of work experience after B.Sc. Nursing.

Minimum one year of work experience prior or after Post Basic B.Sc Nursing.

5% relaxation of marks for SC/ST candidates may be given.

2.1.5 Physical Fitness:— Candidate shall be medically fit.

2.1.6 Selection Criteria:— Selection of the candidates should be based on the merit of the entrance examination conduct by University or competent authority.

2.1.7 Syllabus:— The syllabus for the course will be in accordance with the instructions issued by the Indian Nursing Council (INC) from time to time.

2.2 Name of course:— **Basic B.Sc in Nursing [(B.Sc (N))]**

2.2.1 Duration:— Duration of the course shall be **four** years including internship.

2.2.2 Age:— The minimum age for admission shall be 17 years on or 31st Dec. of the year of admission and maximum 35 years. The 5 years age relaxation is given to the SC/ST candidates.

2.2.3 Qualification:— Minimum educational qualification shall be the passing of:—

Higher secondary school certificate examination (10+2) with science (Physics, Chemistry, Biology) and English with minimum of 50% aggregate marks (PCBE).

or

Senior secondary school certificate examination (10+2) with science (Physics, Chemistry, Biology) and English with minimum of 50% aggregate marks (PCBE).

or

An equivalent with 12 years schooling from a recognized Board or University with science (Physics, Chemistry, Biology) and English with minimum of 50% aggregate marks (PCBE) or as per direction of H.P Government from time to time.

2.2.4 Physical fitness:—The candidate shall be medically fit.

2.2.5 Selection Criteria:—Selection of the candidates should be based on entrance examination merit Conducted by H.P. University or competent authority.

2.2.6 Syllabus:—The syllabus for the course will be in accordance with the instructions issued by the Indian Nursing Council (INC) from time to time.

2.3 Name of course:—**Post Basic B.Sc. (Nursing) [(P.B.B.Sc (N))]**

2.3.1. Duration of course:—The duration of the course shall be **Two years**.

2.3.2 Age:—**In-Service Quota:**—The candidates should not have attained maximum of 50 years of age as on 31st December proceeding year.

Direct Quota:—The age of candidates should be between 17 to 35 years as on 31st December proceeding year. However, upper age can be relaxable by 5 years in the case of SC/ST candidates. The candidates will ensure that they must fulfill the above condition. Age as recorded in the matriculation certificate will be entertained.

2.3.3 Qualification:—To be eligible for admission to this course, a candidate shall have:—

2.3.3.1 Passed the Higher Secondary **or** Senior Secondary or Intermediate **or** 10+2 or an equivalent Examination recognized by the university for this purpose. Those who have done 10+1 on or before 1986, will be eligible for admission.

2.3.3.2 Obtained a diploma in General Nursing & Midwifery (GNM) and registered as R.N.R.M (Registered Nurse, Registered Midwife) with the State Nurses Registration Council.

2.3.4. Physical Fitness:—The candidate shall be medically fit.

2.3.5 Selection criteria:—The selection shall be based on entrance examination merit conducted by University/competent authority.

2.3.6. Syllabus:—The syllabus for the course will be in accordance with the instructions issued by the Indian Nursing Council (INC) from time to time.

2.4 Name of Course:— **General Nurse & Midwifery (GNM)**

2.4.1 Duration:—Duration of the course shall be 3 Years for fresh candidates including Internship.

2.4.1.2 For GNM:—3 Years including internship.

2.4.1.2 For FHW/ANM:—2 Years**2.4.2 Age:—**

2.4.2.1 For fresh candidates age for training shall be 17 years to 35 years.

2.4.2.2 Provided that there shall be no age bar/age limit for the departmental candidates who fulfill the required qualification of respective course and desirous to undergo the respective Training.

2.4.3 Qualifications:—

2.4.3.1 Minimum qualification shall be 10+2 passed or its equivalent preferably Science with (Physics, Chemistry and Biology) subject with aggregate of 45% Marks or as per direction of H.P Government from time to time.

2.4.3.2 Those that have cleared 10+2 vocational ANM course from the school recognized by Indian Nursing Council.

2.4.4 Physical Fitness:—The candidate shall be medically fit.

2.4.4.1 The candidate should be physically fit with normal limbs, spine, normal standard of hearing, vision and mental acuity.

2.4.5 Selection Criteria:—

2.4.5.1 Selection of the candidates shall be made purely on merit basis. The category wise merit shall be drawn by the Director of Medical Education & Research, HP purely on the basis of total marks obtained by the eligible candidates in 10+2 qualifying examination. The first preference shall be given to candidates of 10+2 (Medical Stream) and in the eventuality of non-availability of eligible candidates of medical stream the second preference shall be given to the candidates of 10+2 (Non Medical Stream) and lastly to the 10+2 (Commerce and Arts stream). However, for determining the eligibility of candidates for final selection, the candidates in order of merit (category-wise) will be called for counselling in the ratio of 1:2 e.g. for filling-up 1 seat, Counselling of 2 candidates will be conducted and when total seats are filled-in on the basis of merit of the candidates, the waiting list in each category out of the left out candidates in order of merit shall be drawn. Further, candidates in order of their merit will be afforded with an opportunity to offer their choice in various training institutions depending upon the availability of seats in respective categories. In case of a tie in order of merit, the inter-se ranking of the candidates shall be decided on the basis of total marks obtained in PCB (Physics, Chemistry & Biology) and thereafter in order of merit in Biology, Chemistry, Physics and English in 10+2 examination. Even if, there remains a tie after adopting the above procedure then the candidates older in age will be given preference. Reservation of the seats will be according the policy of the Govt.

2.4.5.2 Selection of the departmental candidates shall be done by the Director, Health and Family Welfare Services/Director, Medical Education & Research, Himachal Pradesh after 5 years of experience on their respective post.

2.4.6. Syllabus:—The syllabus for the course will be in accordance with the instructions issued by the Indian Nursing Council (INC) from time to time.

2.5 Name of course:—Female Health Supervisor/Female Health Assistant:—

This training is only for the Female Health workers who are already in service for further promotion as F.H.S.

2.5.1 Duration:—6 months but at present 2 weeks

2.5.2. Age:—No age limit.

2.5.3 Qualification:—After completion of MPW (F) training course with 5 years of experience as MPW (F).

2.5.4. Selection criteria:—Candidates shall be sponsored by the Director of Health Services/Director Medical Education from amongst the in-service ANM's or MPW (F).

2.5.5 Syllabus:—As prescribed by the Indian Nursing Council

2.6 Name of the course:—Multipurpose Health Worker (female) or Auxiliary Nurse Midwife training course.

2.6.1 Duration:—2 Years.

2.6.2 Age:—The minimum age for admission shall be 17 to 35 years.

2.6.3 Qualification:—Minimum qualification for admission shall be 10+2 with 35% marks in aggregate (Rattan qualification will not be considered).

2.6.4 Physical fitness:—The candidate shall be medically fit.

2.6.4.1 One should be with normal **limbs, spine and normal hearing, vision and mental acuity.**

2.6.5. Selection Criteria:—Selection of the candidates shall be made purely on merit basis. The category wise merit shall be drawn by the Director of Medical Education & Research, HP purely on the basis of total marks obtained by the eligible candidates in 10+2 qualifying examination. However, for determining the eligibility of candidates for final selection, the candidates in order of merit (category-wise) will be called for counselling in the ratio of 1:2 e.g. for filling up 1 seat, Counselling of 2 candidates will be conducted and when total seats are filled-in on the basis of merit of the candidates, the waiting list in each category out of the left out candidates in order of merit shall be drawn. Further, candidates in order of their merit will be afforded with an opportunity to offer their choice in various training institutions depending upon the availability of seats in respective categories. In case of a tie in order of merit, the inter-se ranking of the candidates shall be decided on the basis of candidate's age & the preference will be given to candidate(s) older in age.

2.6.6. Syllabus:—The syllabus for this training course will be in accordance with the Instructions issued by the Indian Nursing Council.

2.7. Name of the course:—Dai Training.

This training programme shall be as per Govt. instructions from time to time. The training shall be imparted at District level hospital.

2.7.1 Duration:—6 months

2.7.2 Age:—The age limit is on the direction of the State Govt.

2.7.3 Qualification:—10th class pass

2.7.4 Syllabus:—As per the direction of the State Government.

B.L.3 Examination:—

3.1 Examination of M.Sc. (N), B.Sc(N) and P.B.B.Sc (N):—The examination of the M.Sc. (N), Basic B.Sc (N) and P.B.B.Sc(N) shall be conducted by the University according the Indian Nursing Council examination Scheme. Yearly examination shall be conducted with in each professional year. A candidate must have 100% attendance in each of the practical areas before award of degree.

3.1.1 A Candidate has to pass in theory and practical exam separately in each of the paper.

3.1.2. If candidate fails in either theory or practical paper he/she has to re-appear for both the papers (theory and practical)

3.1.3 Maximum number of attempts permitted for each paper is 3 including first attempt.

3.1.4 A candidate fails in more than two subject will not be promoted to the next year.

3.1.5 Candidate shall not be admitted to the subsequent higher examination unless the candidate has passed the previous examination.

3.1.6. The maximum period to complete the course successfully should not **exceed 8 years.**

3.1.7 Maximum number of candidates for practical examination should not be exceeding 20 per day.

3.1.8 All practical examination must be conducted in the respective clinical areas.

3.1.9 One internal and one external examiner should conduct practical examination for each student.

3.2 Eligibility for admission for examination:—

3.2.1 Attendance:—A candidate must have minimum of 80% attendance in theory and practical in each subject for appearing for examination.

3.2.2 Internal Assessment:—The internal assessment shall be based on day-to-day performance of the student. The pass marks is 50% of total marks. The candidate must pass in internal assessment to appear in final examination.

3.2.2.1 For first and second year the internal assessment shall be out of 25 marks for each subject theory paper and 100 marks for practical & viva voce.

3.2.2.2 For second and third year the internal assessment shall be out of 25 marks for each subject theory paper and 50 marks practical and Viva Voice examination.

3.2 COUNCIL EXAMINATION FOR GNM:—

The council will conduct examination for Diploma courses.

For these courses examination, Council will adopt the Indian Nursing Council examination scheme. The examination of each year shall be conducted during the same year. The examination forms with examination fee shall reach to the Registrar HPNRC office before 45 days of scheduled examination date. The late fee shall be charged for next 10 days. There after no forms shall be entertained. Each category of nursing shall pay examination fees.

3.2.1 Examination fees:—

3.2.2.1 The examination fees of M.Sc. (N), B.Sc (N) and P.B.B.Sc (N) will be accordance of University examination fees.

3.2.2 For GNM, first year Rs.600/-, 2nd year Rs.700/-3rd year Rs.850/-including mark sheet

3.2.3 For ANM/F.H.S, first year Rs.500/-, 2nd year Rs. 600 including marks sheet.

3.2.4 For Dai ----- Rs. 200/- each

3.2.5 For duplicate mark sheet-----Rs. 500/- for all categories.

3.2.6 Late fee for examination for next 10 days Rs. -----20/- per student

3.2.2 **Eligibility for admission to GNM examination:**— The candidate shall be eligible for admission to the Council Examination if Principal of the training Institution certifies that.—

3.2.2.1 Attendance:—She has completed not less than eleven months of the course.

3.2.2.2 She has attended 75% of the formal instructions given on each Subjects, 75% of clinical and field experience in each area during the academic year. However the prescribed clinical and field experience must be completed before Council examination.

3.2.2.3 The overall performance of the student and her conduct during the entire academic year has been satisfactory.

3.2.2.2 Internal Assessment :

- (a) For theory of each paper out of 25 marks.
- (b) For each Practical out of 50 marks.

3.2.2.2.1 It shall be based on day-to-day assessment evaluation of student's assignments on following:—

- (i) Preparation of nursing care plan
- (ii) Preparation of case study
- (iii) Preparation of health talk
- (iv) Case presentation

3.2.2.2.2 The student must secure at least 50% marks of total marks fixed for internal assessment in a particular subject theory paper and practical in order to be eligible to appear in final Council examination.

3.2.2.2.3 The record of practical experience and day-to-day record should be given importance during internal assessment.

3.2.2.2.4 Regular unit wise examination shall be conducted throughout the course by institute.

3.2.3. Exemption of six month to ANM/MPW (F):—The exemption of 6 months in the duration of training of GNM for in-service ANM according to INC syllabus or as per the direction of the Government time to time

3.2.4 Supplementary examination:—For B.Sc (N) and P.B.B.Sc (N) will be accordance of University examination scheme.

3.2.5 Supplementary Examination for GNM:—The Council shall conduct supplementary examination after every Six month of annual Council examination. The candidate shall appear in supplementary examination in failed subject.

3.2.5.1 If the student fails in one theory paper/practical she may be promoted to next year of study. She/He shall sit for the supplementary examination held subsequently in failed subject/practical. If she fails to clear supplementary examination she shall be allowed to sit again along with her/ his next annual examination.

3.2.5.2 If a student fails in two or more papers/practical, she /he will not be allowed to proceed to next year study. She/ He shall repeat the whole year.

3.2.5.3 A student shall be allowed to sit in only one annual and two supplementary examination in each year of her training.

3.3 Council examination for ANM/FHW: The council shall conduct annual examination every year.

Note:— Eligibility criteria for council annual examination will be same as for GNM training course.

3.3.1 Supplementary examination:—According to the INC syllabus.

3.4 Council Examination for MPW (F):—One examination shall be conducted by the Council at the end of period of training course.

3.4.1 Eligibility for examination:—The student shall be eligible for final examination, if Head of the training Institution Certifies that;

3.4.1.1 She has attended 75% classes in theory, practical and field work.

3.4.1.2 Has a record of practical experience complete singed by the Head of Institution.

3.4.1.3 Pass in internal assessment by securing 50% marks in theory and practical each.

3.4.1.4 Has attended course for at least 2 years.

3.4.2 Supplementary examination of MPW (F):—The supplementary examination shall be conducted after 6 month of annual examination. If candidate is failed in One subject, she shall be given 3 chances to appear in the supplementary examinations, after which she has to appear in all subjects. Maximum 5 attempts shall be given to pass the examination.

3.5 Examination of dais:—The final examination of dais shall be conducted at institution by the Head of the Institution *i.e* (CMO/BMO).

3.6 The Head of the Institution conduct the final examination of dais.

3.7 Question paper:—The question paper will be prepared by the Head of the Institution for practical examination scheduled by HOD.

B.L.4. Declaration of result:—

4.1 The Head of the Department declared the result of the dais.

4.2 Pass Marks:—For passing the GNM, ANM, MPW (F) training course, the candidate must secure 50% marks in each subjects of theory and practical examination. (*i.e.* 50% in theory and 50% in practical).

4.2.1 For Female Health Worker the candidate must secure 50% marks in theory and 50% marks in practical in examination.

B.L. 5 Grading in examination:—

5.1 Grading for M.Sc. (N), B.Sc (N) and P.B B.Sc (N) shall be accordance of University grading system.

5.2 For GNM.

Distinction-----80% and above

1st Division -----70% to 79.9%

2nd Division-----60% to 69.9%

Pass -----50% to 59.9%

5.3 For MPW (F) and Female Health Worker

Distinction-----75% and above

1st Division-----70% to 74.9%

2nd Division-----60% to 69.9%

Pass-----50% to 59.9%

5.4 Grace Marks—The Registrar can give 5 marks as grace marks.

B.L 6. Appointments of Examiners:—There shall be one examiner for 20 students. The examiners for the Practical examination of all nursing categories shall be a nurse and from the Nursing Teaching Cadre. All the formalities regarding conduction of examination shall be completed by the Registrar of the Council.

6.1 Qualification of Examiner:—

6.1.1 For B.Sc (N):—An examiner should be a lecturer or above in a college of nursing with M.Sc (N) in concerned subject and minimum of 3 years of teaching experience.

6.1.2 For GNM:—Examiner should have at least 5 years experience in teaching in the subject for which she is appointed as an examiner and must be in teaching profession at the time of her appointment as Examiner. However, in exceptional circumstances, if any nursing personnel, who possess the required teaching experience of 3 years can be appointed as Examiner.

6.2 Examination Superintendent:—Examination Superintendent shall be the Principal of the Institution where examination is to be conducted.

6.3 Examination Invigilator and Practical Examiner:—Examination Invigilator and Practical Examiner shall be appointed other than the host institution's faculty.

6.3.1 The practical examiner shall take practical of not more than 15 students in a day.

6.4 The Council will pay Travelling Allowance and Daily Allowance (T.A.D.A) by Taxi or Private vehicle is allowed as per the rate Rs. 12 per kilometer as per decision of General Body Meeting time to time.

6.5 Question paper moderator:—The moderation of question paper shall be done by Registrar or Registrar can appoint any expert of the related subject.

B.L 7 Unfair Means:—

7.1 There shall be three member sub-committee may be constituted to deal with unfair means. In the committee the following shall be members (1) Registrar, (2) Council member nursing Tutor (3) Council member Nsg. supdt. /Matron.

The unfair means are:—

7.1.1. Talking to any other candidate during examination hour.

7.1.2 Talking to a person inside or outside the examination hall during examination hour without prior permission of Invigilator or Examination Superintendent.

7.1.3 Copying from answer book of other candidate

7.1.4 Copying from some paper/book/note or any other method

7.1.5 Any other undesirable

If during an examination candidate adopts any the above unfair means, the Superintendent or Invigilator will note on answer book of the candidate when it is sent to the Registrar. The Registrar will submit such answer books alongwith comments of Superintendent/Invigilator to the Sub-committee constituted by the Council to deal with unfair means. The sub-committee will conduct enquiry and recommend punishment which will be approved by the President of the Council.

7.2 Punishment:—

- 7.2.1** It may be canceling of paper of the candidate either whole or particular paper.
- 7.2.2** Expulsion from the nursing school for a period specified or forever according to granting of punishment.

B.L. 8 Remuneration:—

The remuneration will be enhanced when necessary with the prior sanction of General Body of Council members.

8.1 For Examiners:—

- 8.1.1** Question paper setting----- Rs.300/- per Paper
- 8.1.2** Moderation of Question paper----- Rs.200/- per paper
- 8.1.3** Evaluation of Answer Book-----Rs. 12/- each answer book
- 8.1.4** Practical examination-----Rs. 10/- per student per subject
- 8.1.5** Examination Superintendent-----Rs. 150/- per day. (Only for written examination)
- 8.1.6.** Examination Invigilator-----Rs. 150/- per day. (Only for written examination)
- 8.1.7** Traveling Allowance for examiners-----Rs. 12/- per kilometer (Taxi or private vehicle as per the decision of the General Body Meeting from time to time).
- 8.1.8** Cooliage Charges to carry examination material to Examiners-----Rs. 100/- Maximum
- 8.1.9** For Class-IV (during Examination) -----Rs.30/-per day

8.2 Daily Allowance (D.A.)

- 8.2.1** To Examiners----- Rs.200/- per day.
- 8.2.2** Daily Allowance (D.A) to President--- Rs.400/- per day with Expenditure of Taxi or personal vehicle (According the Govt. Rate) When he/she will be on council tour.
- 8.2.3** D.A. to Registrar—Rs.400/-per day with the expenditure of Taxi or personal vehicle (according the Govt. Rate) When She will be on Council tour.
- 8.2.4** D.A. to Asstt. Director Nursing—Rs.400/-per day with the expenditure of Taxi or personal vehicle (according the Govt. Rate) When She will be on Council tour.

8.2.5 D.A. to Council Member to attend Meeting—Rs. 200/-

8.2.6 D.A. to the Members of council outside the Shimla for Council Meeting—Rs. 200/-per day and actual bus fare.

8.2.7 D.A. to deputed person for Council Work—Rs. 200/-per day with actual bus fare

8.2.7 D.A. to inspectors—Rs. 200/-per day with shared Taxi from same town and single taxi from separate Town & lodging.

B.L. 9 Registrations:—

Each candidate M.Sc, B.Sc (N), PB.B.Sc. (N), General Nurses, Midwife, (GNM) ANM/Multipurpose Health Worker(F) (MPW(F), Female Health Supervisor (FHS) or Health Assistant and dais on successful completion of the INC prescribed course of training shall be registered by this council.

9.1 Registration Fees:—

9.1.1 Value of application form for Registration-----Rs.50/-

9.1.2 For General Nurse & Midwife----- Rs.1000/- (For Himachali)
Rs. 1050/- (trained outside H.P.)

9.1.3 For Female Health Supervisors or Health Assistants-----Rs. 500/-

9.1.4 For MPW (F) or ANM or Female Health Worker----- Rs.1000/- (For Himachali) Rs. 1050/- (trained outside H.P.)

9.1.5 For Reciprocal Registration of GNM, FHS and ANM or MPW(F) -----Rs. 1050/-

9.1.6 For Dais-----Rs. 500/-

9.1.7 For Reciprocal registration of Dais-----Rs. 550/-

9.1.8 For Duplicate Registration Certificate of all categories-----Rs. 500/-

9.1.9 For B.Sc (Nurse) -----Rs. 1050/-

9.1.10 For Post Basic. B.Sc (Nurse) ----- Rs. 500/-

9.1.11 For M.Sc Nursing-----Rs. 500/-

B.L. 10 ISSUE OF DEGREE AND DIPLOMA:—

10.1 The University will award degree to the candidates who will successfully complete the M.Sc (N) B.Sc Nursing and PB B.Sc Nursing courses.

10.2 Issue of Diploma:—Himachal Pradesh Nurses Registration Council shall issue Diploma to the successful candidates of General Nurse & Midwifery and Multipurpose Health Workers MPW (F) or Auxiliary Nurse Midwife (ANM) Course.

10.1 Fees for Diploma.—For all above categories-----Rs.500/- each

10.2 For duplicate Diploma----- Rs.500/-

B.L 11 Re-Checking of answer book:—

A candidate shall be entitled to have answer book re-checked with in 30 days of declaration of result. Re-checking will be done only after clarify whether marks awarded to various answer have been correctly added, and if all answers have been assorted by the examiners.

Re-evaluation of answer books can be allowed under some special specific circumstances with the permission of the President of the Council.

11.1 Re-evaluation fee.—Rs. 500/-per answer book

B.L 12 Migrations:—

12.1 Migration from one nursing training institution to other is not a right of the student. However, migration of student from one nursing institute to another nursing training institution in State may be considered by the Director of Medical Education, H.P. only in exceptional cases on extreme compassionate grounds such as;

(i) Death of a supporting guardian

(ii) Illness of the candidate causing disability

(iii) Disturbed conditions as declared by Government in the nursing institution:

Provided following criteria are fulfilled. Routine migration on other ground shall not be allowed.

12.2 Both the nursing trg. Institutions *i.e.* one at which the student is studying at present and one to which migration is sought are recognized by the Indian Nursing Council.

12.3 The applicant candidate should have passed first year GNM and first semester of MPW (F) training examination.

12.4 The applicant candidate should seek permission from both Principals *i.e.* Principal of the present trg. Institution where he/she is studying and one to which migration sought.

12.5 The applicant candidate submit his/her application for migration complete in all respect, to all authorities concerned within a period of one month of passing (declaration of result) the first year/ first semester examination.

12.6 Migration fee -----Rs. 1000/-

B.L.13 DRESS CODE FOR GNM, LADY HEALTH VISITOR/OR FEMALE HEALTH SUPERVISOR, ANM OR MPW(F) OR FEMALE HEALTH WORKER, NURSE DAI, TRAINED DAI OR DAI UNDER SECTION 23 OF CLUASE (b) OF HPNRC ACT, 1977.

13.1 For B.Sc (Nursing) The uniform will be as in the **National Institute of Nursing Education of PGI Chandigarh.**

13.2 FOR GNM OR STAFF NURSE:—**13.2.1 During Training:—**

- (i) First three months white Salwar and kameez with white dupatta, Brown leather close flat soft sole shoes, skin colour socks and Navy colour sweater and caps for winter season with designation plate.
- (ii) After three months white frock and apron with two pockets and white cap, skin colour stocking above knee. Rest of the dress will be same as above. There will be green colour belt for first year, brown colour for 2nd year, blue colour for 3rd year and red colour for 4th year of training.

13.2.2 During Service:—

For Staff Nurse:—“C” “sari” Green Salwar kameez with same colour dupatta or same Colour white overall full sleeve coat, close black or brown leather flat soft sole shoes, skin colour socks, grey colour cardigan and designation plate for winter season they can wear Navy colour caps.

13.3 For Ward Sister/Nursing Sister:—“Camel” colour suit or sari and white overall full sleeve coat Black or White close flat soft sole leather shoes, skin colour socks, red colour cardigan and designation plate.

13.4 For Sister Tutor/Nursing Tutor:—Any colour suit or sari with White overall full sleeve coat. Designation plate. Black or white close flat soft sole leather shoes with skin colour socks during clinical teaching and sandal and socks of same colour during classroom teaching.

13.5 For Assistant Nursing Supdt. or Matron:—“Steel grey” colour suit or sari, white overall full sleeve coat and designation plate. Close white colour soft sole flat leather shoes with skin colour socks and any colour cardigan for winter season.

13.6 For P.N.O. and Nursing Superintendent:—Any colour suit or sari with full sleeve white coat, designation plate, any colour close flat soft sole leather shoes with skin colour socks during clinical supervision and same colour sandal during office time.

13.7 FOR FEMALE HEALTH SUPERVISOR (F.H.S.):—

“**Sky Blue**” Suit or Sari, Brown colour soft sole close leather shoes, skin colour socks and any colour Cardigan for winter season with designation plate during Sub-Centre or PHC duty.

13.8 FOR MPW(F) OR FEMALE HEALTH WORKER:—

13.8.1 During Training:—White Salwar kameez and “Pink” colour dupatta. Black colour flat soft sole close leather shoes skin colour socks. Black Cardigan shawl for winter season.

13.8.2 During Service:—“**Sky Blue**” colour Suit or sari, Black colour Cardigan for winter season. Black close flat soft sole leather shoe with skin colour socks. designation plate during Sub-Centre duty.

13.9 FOR MIDWIFE, NURSE DAI, TRAINED DAI OR DAI:—

During training and during service they should wear white Salwar Kameez with same dupatta and designation plate. Black colour close flat soft sole leather shoes and skin colour socks. Navy Blue colour Cardigan for winter season.

If the above officials will not follow the dress code of the Council, the administrator can take strict action against them.

B.L.14 OPENING OF NEW NURSING TRAINING SCHOOLS/ COLLEGE IN HIMACHAL PRADESH—

14.1 TERMS AND CONDITION OF GOVERNMENT OF HIMACHAL PRADESH:—

14.1.1 The Institution/Society should have 3 acres own land if the institute have not their own land then they can run the institute in rented building upto 2 years and after 2 years they have to buildup their own building to run the nursing courses. If the Institute does not construct the building within 2 years then penalty can be imposed accordingly to Indian Nursing Council norms. They should have following constructed area for different nursing courses for 40 to 60 seats:—

	Teaching Block	Hostel	Total Constructed area	Remarks
ANM	10060	15625	25685 Sq.ft.	
GNM	20000	17500	37500 Sq.ft.	
B.Sc	23720	30750	54470 Sq.ft.	
PB B.Sc	23720	30750	54470 Sq.ft.	Additional 2 lecture halls $1080*2= 2160$ Sq.ft. in teaching block and 50 sq.ft. carpet area for each student in hostel block.
M.Sc	23720	30750	54470 Sq.ft.	Additional 2 lecture halls $1080*2= 2160$ Sq.ft. in teaching block and 50 sq.ft. carpet area for each student in hostel block.

Other criteria will be followed as per the Indian Nursing Council norms.

14.1.2 No financial assistance/ grant will be given to the institute by the State Government

14.1.3 50% seats will be reserved for State Govt. Quota

14.1.4 The College of Nursing shall get affiliation with the concerned University and School of Nursing with State Council before making admission.

14.1.5 All Nursing institutions of ANM, GNM, Basic B.Sc (N) and Post Basic B.Sc (N) and M.Sc(N) will submit the No objection certificate/Essentiality/Feasibility Certificate issued by the State Government to the State Nursing Council to obtain recognition from State Nursing Council.

14.2 RECOGNITION OF NURSING INSTITUTION BY THE REGISTRAR, H.P. NURSES REGISTRATION COUNCIL:—

14.2.1 Any organization under the Central Govt., State Govt., Local body, or private or Public Trust, Mission, Voluntary Body registered under Society Registration Act or a Company's Act Intends to open a School/ College of Nursing shall submit the proposal to the State Government for No Objection (N.O.C.) and Essentiality Certificate from the State Government.

14.2.2 The organization shall submit the proposal and No Objection Certificate (N.O.C.)/Essentiality Certificate of State Government to the State Nursing Council alongwith Rs. 25,000/- as first inspection fee in the shape of Bank draft in favour of Registrar, H.P. Nurses Registration Council.

14.2.3 The H.P. Nurses Registration Council will conduct first inspection to assess suitability with regard to physical infrastructure, clinical facility and teaching faculty according the Indian Nursing Council Norms in order to give permission to start the Nursing training programme.

14.2.4 The Registrar, HPNRC will appoint inspectors having more than 10 years teaching experience in nursing field to conduct inspection of the Nursing Institution.

14.2.5 The Registrar, State Nursing Council will permit to start the nursing programme after first inspection on the basis of inspection report or if institution fulfills the required physical infrastructure, clinical and field training facility and Teaching Faculty etc. as per the Indian Nursing Council norms.

14.2.6 If the organization fails to fulfill the required infrastructure *i.e.* physical infrastructure, Clinical and field training facilities and teaching faculty then the organization **shall not be given permission** to start nursing programme.

14.2.7 The State Council will conduct inspection every year till the first batch completes the training programme. Permission will be given year by year till the first batch completes the nursing programme.

14.2.8 There will be inspection of institutions for recognition after every 5 year. In between surprise inspection will be conducted by the HPNRC, Shimla, if the institution fails to fulfill the required criteria then the Registrar, HPNRC will direct the institution to rectify the deficiencies pointed by the inspection committee within year, if the institute fails to rectify the same then the intake capacity of the seats will be reduced for the next year. During the next year inspection if the Institute does not fulfill the criteria/deficiencies already pointed out then the permission will not be granted for the next year to admit the students for the said course. If the institute will not rectify the deficiencies upto 5 years then the **recognition of the said institution will be withdrawn**.

14.2.9 The State Council will conduct examination of all Diploma courses by adopting the Indian Nursing Council's (INC) Examination Scheme.

B.L 15 Inspection Criteria:—

15.1 For new Institutions:—The State council shall conduct inspection every year till first batch completes the training programme. Permission shall be given year by year till the first batch completes the nursing programme.

15.2 For existing Institutions:—The State Council shall conduct the inspection of the existing Nursing Institutions after every five years.

15.3 No admission for new course shall be made without the prior approval of H.P. Govt. for which the institution will request the State Govt.

15.4 The reservation of the seats shall be as per H.P. Govt. instructions issued from time to time.

15.5 The pay scale and emolument for their staff shall not be less than the scale of the employees of same categories under contractual and regular scale of H.P. Government and the Salary of the employees working in the HPNRC shall be enhanced according to the decision of the General Body Meeting of HPNRC after obtaining the approval of the Government.

15.6 The inspection of the institution shall be carried out on yearly basis up to the completion of the study of first batch of the students. Therefore the inspection shall be periodical after five years.

15.7 The H.P. Govt. will have right to withdraw the N.O.C. if the society/Applicant fails to meet any of the condition of N.O.C.

15.8 The construction work shall be completed within 2 years and admission shall be made within 2 years of the condition of N.O.C.

15.9 Permission accorded by the Nursing Council will be got renewed by management from time to time.

15.10 Admission of all seats will be regulated by the concerned Board/ University of H.P. Govt.

15.11 Fee structure for the institution will be approved by the Govt. which will be in consonance with Govt. of India/Indian Nursing Council.

15.12 A minimum 75% staff will be employed from H.P. In case it is not possible to employ 75% of the staff from H.P. approval of H.P. Govt. will have to be obtained.

15.13 All staff of Class-III and Class-IV will be recruited from amongst the Himachal bonafide candidates after obtaining proper sanction/approval from the Government.

15.14 The institution will include a local person and One Govt. nominee in the Society as a permanent trustee or in governing body as the case may be.

15.15 Institute shall fulfill the condition of clinical facilities and field training.

15.16 The permission/recognition will be issued after obtaining Essentiality/Feasibility Certificate/No objection certificate from Government. The HPNRC will conduct the inspection of concerned institution for granting permission/recognition to start all nursing courses.

15.17 Institution wise Inspection fees and Affiliation fees:—

15.17.1 FIRST INSPECTION FEES:—

15.17.1.1 First inspection fees of Rs.25,000/- for M.Sc (N), B.Sc(N) P.B.B.Sc (N), ANM & GNM training courses to be deposited with **H.P. Nurses Registration Council**.

15.17.1.2 The HPNRC Shimla will be examining body of Diploma courses and a sum of Rs. 50,000/- has to be deposited in the shape of Demand Draft in favour of Registrar, HPNRC Shimla on account of first examination fees for single time.

15.17.2 Annual affiliation fees- INSPECTION FEES:—

15.17.2.1 Annual affiliation fees of Rs. 10,000/- for per course *i.e.* ANM, GNM, B.Sc(N), P.B.B.Sc(N) and M.Sc Nursing to be deposited with **H.P. Nurses Registration Council for renewal validity**.

15.17.3 Remuneration to inspector-----Rs. 500/- per institution to be paid to Inspectors for inspection of nursing institutions.

B.L 16 PUBLICATION PRICE OF THE COUNCIL:—

It will be according to the market rate/ Government press rate

B.L 17 Regulate the conduct of registered person or Power to prohibit un-registered person from practicing.

17.1 All the trained General Nurse & Midwife (GNM), Lady Health Visitor (LHV) or Female Health Supervisor (F.H.S.) Midwife, Auxiliary Nurse Midwife (ANM) or MPW(F) or Female Health Worker (FHW), Nurse Dai and Trained Dai or Dai are not allowed to practice without registration in the State. Any person practicing in contravention of such bye-laws, or every person committing or abetting the commitment of a breach of any such bye-laws shall on conviction by a **Magistrate of first Class** be liable to a fine not exceeding Rupees, **25,000** for first offence and to a fine not exceeding Rupees **50,000/- second and for each subsequent offence**.

17.2 If the local authority fails to make bye-laws under sub-section (1) within six month from the date of commencement of this Act, the State Govt. may by notification in the Official Gazette, prohibit un- registered person from practicing as a General Nurse, Lady Health Visitor or Female Health Supervisor, Midwife, Auxiliary Nurse Midwife (ANM) or MPW (F) or Female Health Worker (FHW), Nurse Dai and Trained Dai or Dai in the State. Any Un-registered person practicing in contravention of such notification, shall be liable on conviction by a **Magistrate of first Class**, to a fine not exceeding **Rupees 25,000/=** for first offence and to a fine not exceeding **rupees 50,000/= for second** and for each subsequent offence.

17.3 **No person** other than a registered General Nurse, registered Health visitor or Female Health Supervisor (FHS), Midwife, Auxiliary Nurse Midwife (ANM) or MPW (F) or Female Health Worker (FHW), a registered nurse dai and registered trained dai or dai shall be competent to hold any appointment or be employed as such in any **hospital, asylum, infirmary, dispensary, nursing home, maternity home, health centre or other such institution, private or public, whether supported by voluntary contribution or not.**

Note.— The fee structure, remuneration, T.A.D.A shall be enhanced after prior sanction from General Body of Council according the money inflation in the market.

Keys:—

B.L -----Bye-Laws.

M.Sc (Nsg) ----- Master Degree in Nursing

B.Sc (Nsg) ----- Bachelor Degree in Nursing

GNM-----Diploma in General Nurse & Midwifery

ANM-----Diploma in Auxiliary Nurse Midwife

FHS -----Female Health Supervisor

MPW ----- Multipurpose Health Worker

By order,
Sd/-
Addl. Chief Secretary (Health).